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07.10.2024
KC

WPA 20478 of 2024

Om Prakash Tiwari
Vs.
The State of West Bengal & Ors.

Mr. Saswata Bhattacharya
... for the petitioner.

Mr. Ashim Kumar Ganguly
Mr. Tarak Karan
... for the State.

The petitioner has prayed for issuance of a mandamus commanding the respondent authorities to take immediate steps to arrest the absconder i.e. the private respondent no. 8 herein and to produce him before the learned Additional Chief Judicial Magistrate, Serampore in G. R. Case No. 163 of 2012.

Learned advocate for the State files a report of the Officer-in-Charge, Debra Police Station dated October 1, 2024.

After going through the said report, this Court finds that on the written complaint of the petitioner, a case was started against the private respondent no. 8 and others and after completion of investigation, charge-sheet vide Uttarpara Police Station CS No. 3 of 2013 dated January 22,

2013 under Sections 497/498/120B of the Indian Penal Code was submitted by the Criminal Investigation Department (CID), West Bengal against the accused persons including the respondent no. 8. It further appears that two supplementary charge-sheets in connection with the said case has also been submitted by CID, West Bengal against the respondent no. 8 herein. It further appears from the said report that the concerned learned Additional Chief Judicial Magistrate issued an Warrant of Arrest on October 1, 2024 against the respondent no. 8 herein due to non-appearance of the said respondent before the learned Court during Trial. The said Warrant of Arrest was duly received by CID, West Bengal for directing the Officer-in-Charge, Debra Police Station for its execution.

Since the Warrant of Arrest has been issued and a direction has been passed for its execution, nothing further survives to be decided in this writ petition. In case the petitioner is aggrieved, the petitioner is left free to approach before the Jurisdictional Court for appropriate reliefs.

With the above observations, the writ petition stands disposed of.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)